REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I.   STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 4-17, 20-21, 24 and 26-28 are currently pending. Claims 1, 4, 6, 17, 21 and 26 are independent. Claims 1, 4, 17 and 21 are hereby amended for clarity. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II.   CLAIM OBJECTIONS

Claim 21 has been amended to overcome the objection noted in the Office Action.

Applicants respectfully request withdrawal of the objection to claim 21.

III.   REJECTIONS UNDER 35 U.S.C. §103

Claims 1, 4-17, 20, 21, 24 and 26-28 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,899,628 to Leen et al. (hereinafter, merely "Leen") in view of

Baughman et al., *"Cheat-Proof Playout for Centralized and Distributed Online Games,"*

INFOCOM 2001, Twentieth Annual Joint Conference of the IEEE Computer and Communications

Societies Proceedings, 22-26 April 2001 (hereinafter merely "Baughman").

Applicants respectfully traverse this rejection.

Independent claim 1 is representative, and recites, *inter alia*:

"receiving a <u>first message having first content data at a receiving peer system</u> from a first
sending peer system connected to said peer system in a peer-to-peer relay network;
. . .
receiving a <u>second message having second content data</u> at the receiving peer system from
at least one <u>second sending peer system,</u> wherein the second content data are expected to be
substantially the same as the first content data;
. . .
comparing by the receiving peer system the received first content to the
received second content data;
. . .
<u>determining that the message from the first sending peer system is different</u>
<u>from at least one of the second messages</u> based on the comparison;" (emphases
added)

As understood by Applicants, Leen discloses, in relevant part, servers each executing

gaming applications for respective clients. The servers communicate gaming event information

with a central processor or platform. There is no suggestion in Leen there are peers that connect

directly to one another. Nor is there any suggestion in Leen that peers exchange information.

Indeed, Leen is not a peer-to-peer network.

As a preliminary matter, a peer-to-peer network (P2P network) is a term of art. The

specification defines the term in relevant part as, "<u>each member (or peer) in the peer-to-peer</u>

<u>network establishes a connection to each of the other members.</u> Using these direct peer-to-peer

connections, the <u>members send data to and request data from the other members directly, rather</u>

than using a centralized server (e.g., compared to a typical client-server network where members interact through the server) . . . In a peer-to-peer network with N peers, each peer has N-1 connections to other peers." Publ. App. par. [0003] and FIG. 31B (emphases added).

The claims **must** be interpreted using this definition of "peer" and "peer-to-peer network." *Phillips v. AWH Corp.*, 415 F.3d 1303, 1319 (Fed. Cir. 2004) ("Claims are construed in light of the specification, of which they are a part"). *See, also,* MPEP 2101.01 and MPEP 2173.05.

Applicants contend that the present application is patentable over combinations involving Leen because the Office Action misinterprets the operation and function of the sending and receiving peers recited in the present application.

Claim 1 recites that a <u>receiving peer</u> system receives <u>two messages</u>: a first message is received from a <u>first sending peer system</u>, and a second message from a <u>second sending peer system</u>. The messages are expected to be substantially the same. The receiving peer system compares the two received messages to determine whether the messages are different rather than substantially the same.

First element of claim 1:

receiving a <u>first message having first content data at a receiving peer system</u> from a first sending peer system connected to said peer system <u>in a peer-to-peer relay network</u>;

THE LEEN SYSTEM IS NOT A PEER-TO-PEER NETWORK

The Office Action points to Leen col. 4, lines 31-36 for disclosing a P2P network, which is illustrated in the network of Leen's FIG. 1. However, this is misinterpretation of Leen. While the

Office Action does not state what element in Leen is intended to be a "peer," it is clear that Leen is not illustrating a P2P network. More importantly, there is no suggestion in Leen the "peers" send messages to one another. That is, the clients 102 connect to servers 104 that in turn connect to a platform 106. This is consistent with the operation of Leen in which the servers execute gaming applications for clients. (Abstract). There is no suggestion the clients or servers send messages directly to one another.

The Office Action states the first message having first content data (first event information 122 of Leen) is received by the event manager 130. The event manager 130 of Leen is part of the platform 106 and is clearly not a peer as defined in a P2P network. Indeed, the platform 130 is clearly a central receiving point for receiving information from the servers 104.

Thus, Leen **does not** teach or suggest a system that operates in a P2P network. Moreover, Leen **does not** teach or suggest a receiving <u>peer</u> in a P2P network that receives a first message from a sending <u>peer</u>.

THE OFFICE ACTION MISAPPLIES THE "OUTCOMES" OF LEEN TO THE PRESENT APPLICATION

Claim 1 recites *inter alia*:

"detecting a manipulation of data in said received first message, said <u>manipulation of data changing the outcome of processing by the receiving peer system</u>."

That is, in an aspect of the present invention, the receiving peer detects the first received message has been manipulated and that the manipulation <u>will change the outcome of processing</u> by the receiving peer. This element is distinguishable from Leen in which a centralized statistics manager 132 (part of the platform 130 common to all

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clients and not a peer system as discussed above) receives event information 122 (or

152). The statistics manager generates statistics information based upon previously

collected information concerning the gaming application. The statistics information may

then be provided to the users of the client (game players) 102. Col. 7, line 58 to col. 8,

line 4.

The Office Action points to Leen col. 8, lines 21-25 for the claim 1 element

detecting a manipulation that changes the outcome of processing by the receiving peer.

The Office Action seems to have misinterpreted the word "outcome" as used in Leen.

Leen states, at the cited location, "[S]tatistics information 154 reveals not only

characteristics associated with the outcome of a gaming application 114 . . ." Leen is

using "outcome" to mean statistics information characterizing what happened (the

outcome) of a gaming application. This is different from the use of "outcome" recited in

claim 1, which states the future result is affected by the manipulated received message.

That is, the Office Action asserts the first received message by the platform 130

corresponds to Leen's event information 122, which, in turn, results in the statistics

information 154. The statistics information can be used by Leen's clients 102 to alter

their gaming play. In contrast, claim1 states the manipulation of the first received

message by the receiving peer changes the result (outcome) of processing by the

receiving peer.

Even real-time statistics discussed in Leen (col. 25, lines 25-33) do not

correspond to the outcomes recited in claim 1. As discussed above, the statistics manager

(or platform) of Leen receives the first message and generates statistics information that

is provided to clients (users). The statistics information may affect the client's game

play. In contrast, in claim 1, the receiving peer receives the first message directly and it

is the receiving peer (the same person who received the first message) whose processing

outcome is affected by the manipulated message.

THE OFFICE ACTION AGAIN MISINTERPRETS LEEN AS A P2P NETWORK AND THEN THE OFFICE ACTION INCORRECTLY EQUATES LEEN'S "THRESHOLD" TO THE CLAIM 1 "COMPARISON"

Claim 1 recites, in relevant part:

". . . detecting a manipulation comprises

. . .

receiving a <u>second message having second content data</u> at the receiving peer system from at least one <u>second sending peer system</u>, wherein the second content data are expected to be substantially the same as the first content data;

. . .

comparing by the receiving peer system the received first content to the received second content data;

. . .

<u>determining that the message from the first sending peer system is different from at least one of the second messages</u> based on the comparison;" (emphases added)

That is, in this aspect of claim 1, the receiving peer receives a second message from a

second sending peer. The receiving peer compares the first received message from the first

sending peer to the second received message from the second sending peer. The first and second

messages are expected to be substantially the same. The receiving peer detects a manipulation of

the message when the first and second messages are not substantially the same.

The Office Action points, in relevant part, to Leen col. 7, lines 27-30. The event manager

130 (that received the first message) may receive second event information 122 from a second

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server 104. Applicants concede the event manager 130 receives event information from more than one server 104.

First, it is now clear the Office Action is asserting that Leen discloses a P2P network in which the centralized platform 106 (having the event manager 130) is the receiving peer. Apparently, the Office Action is also asserting the servers 104 are sending peers in the P2P network. This is clearly erroneous. If the servers 104 are intended to be peers in a P2P network then they must, by definition, communicate directly with one another without going through a central server. This is clearly not the case in Leen. Abstract, Summary, FIG. 1, just about everywhere. Moreover, the platform 106 would need also to be a peer to the servers if the Office Action analysis is to be applied. Again, certainly not the case in Leen, there being only one central platform 106 that is in a client-server relationship to the servers.

Second, the Office Action erroneously equates Leen's "threshold" with the claim 1 "comparison." As stated above, in claim 1 the receiving peer compares the received first message to the received second message and determines if the messages are substantially the same.

The Office Action points to Leen col. 8, lines 34-38, wherein Leen discloses that first statistics information associated with a particular user can be compared to second statistics information associated with a different user. The Office Action then mistakenly cites Leen col. 8, lines 46-53 for disclosing determining a difference resulting from the comparison as recited in claim 1 of the present application. At the cited location Leen discloses, "measure any combination of event information 152, statistics information 154, and profile information 156 against certain predetermined thresholds associated with the user." This is mistaken because Leen is disclosing comparing the statistics information of user to predetermined thresholds associated with the user not to statistics information received about a different user. That is, Leen detects cheating by a

user from the comparison of received statistics about the particular user to <u>previously accumulated information about the particular</u> user **not** to received statistics of another user. In contrast, as stated above, in claim 1 of the present application, the receiving peer compares the received first message from the first sending peer to the received second message from the second sending peer and determines if the messages are <u>substantially the same</u>.

For all these reasons, which are not an exhaustive list, Applicants submit that claim 1 is patentable over Leen. Baughman does not add the elements missing from Leen.

Independent claims 4, 6, 17, 21 and 26 are believed patentable for substantially the same reasons as claim 1.

Applicants also reiterate the arguments presented in their preliminary amendment filed January 29, 2007.

CONCLUSION

Claims 1, 4-17, 20-21, 24 and 26-28 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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